

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MUSA HOXHAJ, ABDOU EL SHBEINY, AND
RICARDO CORDERO,

Plaintiffs,

-against-

MICHAEL CETTA, INC., MICHAEL CETTA, AND
STEVEN CETTA,

Defendants.

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Case No. 21-cv-6486 (LJL)

**DECLARATION OF
ADAM E. COLLYER**

ADAM E. COLLYER, an attorney duly admitted to practice before this Court, hereby declares subject to the penalties of perjury:

1. I am a partner with the law firm of Lewis Brisbois Bisgaard & Smith LLP, attorneys for defendants Michael Cetta, Inc., Michael Cetta, and Steven Cetta (“Defendants”).

2. I respectfully submit this declaration in support of Defendants’ Motion for Summary Judgment.

3. Also submitted herewith are the declarations of Susan Edelstein and Sayed Mohran, movants’ Rule 56.1 statement, and movants’ Memorandum of Law.

4. Attached hereto as Exhibit A is a true and correct copy of the Complaint, filed on July 30, 2021 (Doc. No. 1).

5. Attached hereto as Exhibit B is a true and correct copy of excerpts of Plaintiffs’ wage records.

6. Attached hereto as Exhibit C is a true and correct copy of Plaintiff Cordero’s wage notices and sample wage statement.

7. Attached hereto as Exhibit D is a true and correct copy of Plaintiff Hoxhaj's wage notices and sample wage statement.

8. Attached hereto as Exhibit E is a true and correct copy of Plaintiff El Shabeiny's wage notices and sample wage statement.

9. Attached hereto as Exhibit F is a true and correct copy of excerpts from the deposition transcript of Plaintiff Cordero.

10. Attached hereto as Exhibit G is a true and correct copy of excerpts from the deposition transcript of Plaintiff El Shabeiny.

11. Attached hereto as Exhibit H is a true and correct copy of excerpts from the deposition transcript of Plaintiff Hoxhaj.

12. Attached hereto as Exhibit I is a true and correct copy of the job description for managers.

13. Attached hereto as Exhibit J is a true and correct copy of a sample work schedule created by Plaintiffs.

14. Attached hereto as Exhibit K is a true and correct copy of excerpts from the deposition transcript of Defendant Steven Cetta.

WHEREFORE, it is respectfully submitted that the Court should grant this motion and dismiss the Complaint in its entirety, with prejudice, and award costs and fees to movants.

Dated: New York, New York
January 6, 2023

Respectfully Submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Adam E. Collyer
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